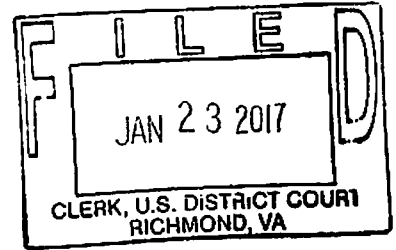


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



CURTIS OAKLEY,

Plaintiff,

v.

Civil Action No. 3:16CV762

TIMOTHY DOSS, et al.,

Defendants.

MEMORANDUM OPINION

By Memorandum Order entered on September 26, 2016, the Court conditionally docketed the action. Curtis Oakley requested leave to proceed in forma pauperis. By Memorandum Order entered on October 13, 2016, the Court directed Oakley to pay an initial partial filing fee of \$22.13 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. See 28 U.S.C. § 1915(b)(1). On October 5, 2016, the Court received a letter from Oakley wherein he indicated that he would be released on October 25, 2016. (ECF No. 4-1, at 1.) Oakley provided a new address to reach him after that date. To date, the Court has not heard from Oakley about the Court's October 13, 2016 Memorandum Order. Accordingly, by Memorandum Order entered on November 30, 2016, the Court directed Oakley to complete and return the proper in forma pauperis affidavit for non-prisoners within thirty (30) days of the date of entry

hereof. The Court warned Oakley that a failure to comply with the Court's directives would result in dismissal of the action. See Fed. R. Civ. Pr. 41(b). Oakley failed to complete and return the form or otherwise respond. Oakley's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of the Memorandum Opinion to Oakley.

_____/s/ *REP*
Robert E. Payne
Senior United States District Judge

Date: *January 20, 2017*
Richmond, Virginia